

AN ORDINANCE

**99206**

**RATIFYING THE EXECUTION OF A THREE YEAR MEMORANDUM OF UNDERSTANDING WITH THE SAN ANTONIO WATER SYSTEM FOR THE SAN ANTONIO WATER SYSTEM DEMONSTRATION GARDEN PROJECT AT THE SAN ANTONIO BOTANICAL GARDEN FOR THE ANNUAL AMOUNT OF \$73,000.00; ESTABLISHING A BUDGET; AND AUTHORIZING A PART-TIME GRANT FUNDED POSITION TO MAINTAIN THE GARDEN.**

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**WHEREAS,** a primary component of the San Antonio Botanical Garden, operated through the Parks and Recreation Department, is its public education programs; and

**WHEREAS,** San Antonio Water System (SAWS) has requested to utilize an area within the Botanical Garden to build a demonstration garden with interpretive signage for environmentally sound landscaping techniques and to establish outreach programs; and

**WHEREAS,** a Memorandum of Understanding (MOU) has been negotiated for this mutually beneficial project; and

**WHEREAS,** SAWS will be responsible for design and installation of the garden, at an estimated value of \$125,000.00, in an area approved by the City; and

**WHEREAS,** Botanical Garden staff will be responsible for daily maintenance of the demonstration garden and SAWS will pay the City \$13,000.00 per year for maintenance responsibilities; and

**WHEREAS,** in addition, SAWS will pay the City for use of the garden area and for public workshops related to the demonstration garden, as outlined in the MOU; and

**WHEREAS,** the City is responsible for repairs to any damage that may occur to the garden, up to a maximum value of \$30,000.00 per year; and

**WHEREAS,** it is now necessary to authorize execution of the MOU, acceptance of funds as outlined in the MOU, approve a budget and personnel complement; **NOW THEREFORE:**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**Section 1.** The Director of Parks and Recreation execution of Memorandum of Understanding (MOU) with San Antonio Water System (SAWS) for a demonstration garden at the San Antonio Botanical Garden, operated by the Department of Parks and Recreation is hereby ratified.

**Section 2.** Fund 26-012268 entitled "SAWS Demonstration Garden Project" has been designated for use in accounting for the fiscal transactions of said project.


**Section 3.** The sum of \$219,000.00 is appropriated in the above fund for the SAWS Demonstration Garden Project and the budget set out in Attachment I is approved and adopted for entry on the City books.


**Section 4.** The one (1) Part-Time personnel position set out in Attachment I and incorporated herein, are authorized for the SAWS Demonstration Garden Project.

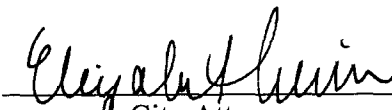
**Section 5.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific Index Codes and Fund Numbers as necessary to carry out the purpose of this Ordinance.

**Section 6.** This ordinance shall be effective on May 30, 2004.

PASSED AND APPROVED this 20<sup>th</sup> day of May 2004.

  
M A Y O R  
EDWARD D. GARZA

ATTEST:   
City Clerk

APPROVED AS TO FORM:   
City Attorney